

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone #3347

DATE: November 28, 2001

PROPOSAL: This is a request to amend section 27.69.160 of the City Zoning Ordinance, referencing signs for special permitted uses.

CONCLUSION: Though this is very limited and targeted legislation, it may prove useful when applied in conjunction with a business as provided in 27.63.170.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

APPLICANT: Mark Hunzeker
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CONTACT: Same

LEGAL DESCRIPTION: Section 27.69.160 of the Lincoln Municipal Code.

PROPOSED TEXT CHANGES:

.27.69.160 Other Permitted Signs; Special Permitted Uses.

In all residential zoning districts, special permitted uses may have the greater of the district signs or a sign identifying or describing the name of the building and the business or services offered on the premises. One sign only per special use shall be permitted if it meets the following conditions and requirements:

(a) The sign shall not be more than twenty square feet in area; **however, the City Council may permit a sign up to forty square feet in area, in conjunction with the special permit for a parking lot pursuant to Section 27.63.170;**

(b) The sign shall not be located in any required yard; **however, the City Council may permit a sign to be located in a required yard in conjunction with a special permit for a parking lot pursuant to Section 27.63.170;**

(c) The sign shall not be more than eight feet in height if it is not a wall sign;

(d) The location, size, and illumination of the sign, if any, shall be shown on the special permit application and shall be specifically approved as a part of said application;

(e) The sign shall be in keeping with the character of the area in which it is located.

Notwithstanding the above, for specially permitted commercial uses of historic structures or sites approved under the provisions of Section 27.63.400 of this title, two signs per entrance may be permitted, one of which, limited to five feet in height, may be located in a required front yard, pro-vided that the Historic Preservation Commission has deemed those signs appropriate. (Ord. 16735 §23; February 13, 1995: prior Ord. 15823 §2; February 11, 1991: Ord. 14613 §23; March 9, 1987).

ANALYSIS:

1. This request is to allow council to permit a sign up to 40 square feet in area and in a required yard where a special permit is approved for a parking lot in a residential district. The existing provision is limited to 20 square feet in area and outside required yards.
2. This is in response to concerns raised in the processing of CZ # 3340, where a request was made to change the zone from R-1 Residential to B-1 Commercial to allow a ground sign. Questions were raised as to permitted uses, and the ability to apply conditions and limitations and a site plan with the straight change of zone..
3. Though this is very limited and targeted legislation, it may prove useful when applied in conjunction with a business as provided in 27.63.170.

Prepared by:

Mike DeKalb, AICP
Planner

27.63.170 Permitted Special Use: Parking Lots.

(a) Parking lots may be allowed by special permit in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, and O-2 zoning districts in conformance with the provisions of Chapter 27.67 and under one of the following conditions:

(1) A. The premises upon which the parking lot is located shall not be located more than 300 feet from the boundary of one of the following districts: O-1, B-1, B-3, B-4, H-2, H-3, or I-1 and the following conditions shall be met:

(i) The parking lot shall not use a local residential street for access, unless access cannot be gained to the proposed parking lot from a non-residential street. If access is proposed from a local residential street, such access must be gained at a location that does not negatively impact adjacent residential zoned property.

(ii) Any adjacent alley serving the parking lot shall be paved.

(iii) Any lighting facility shall be orientated to eliminate light trespass on adjacent residentially zoned properties in accordance with adopted design standards.

B. In addition to the above conditions, the City Council, in passing upon applications for special permits under subparagraph (1), shall also consider the following criteria:

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(i) There shall be no residential use located between the parking lot and the commercial or industrial establishment.

(ii) The parking lot shall not disrupt the continuity of the block face, and the character of the existing residential neighborhood shall be preserved.

(iii) The parking lot shall be allowed only if it can function as a transitional use while protecting the adjacent residential use.

(iv) The parking lot shall abut a commercial or industrial zoning district.

An adjustment to these criteria may be granted by the City Council upon a determination that there is a sufficient cause for such an adjustment and that there will be no significant impact on adjacent residential uses, or

(2) The land shall not be located more than 360 feet from property occupied by a college, university, or church; provided that the parking lots are used primarily in connection with the said college, university, or church.

(b) Parking areas consisting of less than six parking spaces may be allowed by special permit in the same zoning districts in conformance with the same provisions and under the same conditions applicable to parking lots as contained in paragraph (a) of this section. (Ord. 15981 §1; September 30, 1991; prior Ord. 15522 §3; April 16, 1990; Ord. 15103 §1; February 13, 1989; Ord. 13353 §1; April 5, 1982; Ord. 12571 §320; May 8, 1979).